

## Environmental Protection Agency

## § 51.916

demonstration SIP demonstrating that the area has adopted all control measures necessary to demonstrate attainment as expeditiously as practicable.

(2) For an area that submits an attainment demonstration that requests an attainment date more than 5 years after designation for the 8-hour NAAQS, the State shall submit a SIP consistent with the requirements of § 51.912(a) and (b) except the State shall submit the RACT SIP for each area with its request pursuant to Clean Air Act section 172(a)(2)(A) to extend the attainment date.

(d) *What is the Reasonably Available Control Measures (RACM) requirement for areas designated nonattainment for the 8-hour NAAQS?* For each nonattainment area required to submit an attainment demonstration under § 51.908, the State shall submit with the attainment demonstration a SIP revision demonstrating that it has adopted all RACM necessary to demonstrate attainment as expeditiously as practicable and to meet any RFP requirements.

[70 FR 71701, Nov. 29, 2005, as amended at 72 FR 31749, June 8, 2007]

### **§ 51.913 How do the section 182(f) NO<sub>x</sub> exemption provisions apply for the 8-hour NAAQS?**

(a) A person may petition the Administrator for an exemption from NO<sub>x</sub> obligations under section 182(f) for any area designated nonattainment for the 8-hour ozone NAAQS and for any area in a section 184 ozone transport region.

(b) The petition must contain adequate documentation that the criteria in section 182(f) are met.

(c) A section 182(f) NO<sub>x</sub> exemption granted for the 1-hour ozone standard does not relieve the area from any NO<sub>x</sub> obligations under section 182(f) for the 8-hour ozone standard.

[70 FR 71701, Nov. 29, 2005]

### **§ 51.914 What new source review requirements apply for 8-hour ozone nonattainment areas?**

The requirements for new source review for the 8-hour ozone standard are located in § 51.165 of this part.

[70 FR 71702, Nov. 29, 2005]

### **§ 51.915 What emissions inventory requirements apply under the 8-hour NAAQS?**

For each nonattainment area subject to subpart 2 in accordance with § 51.903, the emissions inventory requirements in sections 182(a)(1) and 182(a)(3) of the Act shall apply, and such SIP shall be due no later 2 years after designation. For each nonattainment area subject only to title I, part D, subpart 1 of the Act in accordance with § 51.902(b), the emissions inventory requirement in section 172(c)(3) of the Act shall apply, and an emission inventory SIP shall be due no later 3 years after designation. The state must report to the EPA summer day emissions of NO<sub>x</sub> and VOC from all point sources, nonpoint sources, onroad mobile sources, and nonroad mobile sources. The state shall report emissions as point sources according to the point source emissions thresholds of the Air Emissions Reporting Rule (AERR), 40 CFR part 51, subpart A. The detail of the emissions inventory shall be consistent with the data elements required by 40 CFR part 51, subpart A.

[80 FR 8799, Feb. 19, 2015]

### **§ 51.916 What are the requirements for an Ozone Transport Region under the 8-hour NAAQS?**

(a) In General. Sections 176A and 184 of the Act apply for purposes of the 8-hour NAAQS.

(b) RACT Requirements for Certain Portions of an Ozone Transport Region.

(1) The State shall submit a SIP revision that meets the RACT requirements of section 184 of the Act for each area that is located in an ozone transport region and that is—

(i) Designated as attainment or unclassifiable for the 8-hour standard;

(ii) Designated nonattainment and classified as marginal for the 8-hour standard; or

(iii) Designated nonattainment and covered solely under subpart 1 of part D, title I of the CAA for the 8-hour standard.

(2) The State is required to submit the RACT revision no later than September 16, 2006 and shall provide for